

**From:** Casey Leach -MDE- [casey.leach@maryland.gov]  
**Sent:** 10/23/2020 8:33:09 PM  
**To:** Paul Hlavinka -MDE- [paul.hlavinka@maryland.gov]  
**CC:** Ottinger, Elizabeth [Ottinger.Elizabeth@epa.gov]  
**Subject:** Re: From EPA Website (Renewal / Reissue)

That's an interesting distinction. So in addition to doing the consent order the EPA would have us have all the current permittees also reapply for the same permit.



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On Fri, Oct 23, 2020 at 4:30 PM Paul Hlavinka -MDE- <[paul.hlavinka@maryland.gov](mailto:paul.hlavinka@maryland.gov)> wrote:

I know the comment was that MDE needs to define renewal vs reissue..and to be consistent. I am trying to find a definition, and find it interesting that the language we used was from EPA MSGP...but also EPA website isn't consistent. In fact it includes can be renewed (reissued)...like they are equivalent.

Examples:

<https://www.epa.gov/npdes/npdes-permit-basics>

- The Clean Water Act specifies that NPDES permits may not be issued for a term longer than five years. Permittees that wish to continue discharging beyond the five year term must submit a complete application for permit renewal at least 180 days prior to the expiration date of their permit. If the permitting authority receives a complete application, but does not reissue the permit prior to the expiration date, the permit may be "administratively continued." For permits issued by EPA, existing permits are considered backlogged if EPA receives an application but does not reissue the permit prior to the expiration date. Additionally, applications for new EPA-issued permits are considered backlogged if not issued or denied within 180 days of receipt of the application. See [NPDES permit backlog](#) for more information.
- The Clean Water Act limits the length of NPDES permits to five years. NPDES permits can be renewed (reissued) at any time after the permit holder applies. In addition, NPDES permits can be administratively extended if the facility reapplies more than 180 days before

the permit expires, and EPA or the state regulatory agency that issued the original permit, does not renew the permit before its expiration date through no fault of the permittee.

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